

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

CAPITOL RECORDS INC., et al.

Plaintiffs,

VS.

CHRIS VACANTI,

Defendant.

8:06CV555

SCHEDULING ORDER

This case is before the magistrate judge for full pretrial supervision. The court file shows that the defendant was served with summons on November 1, 2006. Apparently, the defendant has failed to timely answer or otherwise respond to the complaint. It remains plaintiffs' duty to go forward in prosecuting the case.

IT THEREFORE IS ORDERED that plaintiffs are given until **January 5, 2007** to (a) obtain an entry of default and (b) file a motion for default judgment, or take other appropriate action to prosecute the case. If appropriate action is not taken, I will recommend that the case be dismissed without prejudice for failure to prosecute.

DATED November 30, 2006.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge